

REMARKS

Claim 45 calls for a device to automatically concatenate a series of recorded replays “for automatic sequential playback.”

The only support for the assertion that this element is taught in the reference is the citation to Figure 16 of Hibi. However, nothing in Figure 16 would seem to support such a rejection. Figure 16 shows what the Examiner’s apparently considers to be a play list. It also shows a cursor in the left margin, suggesting that one of the items in the play list may be selectively played. Thus, there is no reason to believe that one could select one item and all the rest would automatically be played in sequence. Nonetheless, the conclusion is made in the office action that “Figure 16 show a display of recorded replays arranged into a list of its sequential relays for playback in time base to enable a user to select or to automatic sequential playback.” The support for this is not explained and seems counterintuitive since it would appear that what is shown in Figure 16 allows you to select one item for replay and not to cause automatic sequential replay.

Further, the office action states “upon the user selects a playback, all the replays were automatically sequentially played back by the apparatus.” Again, no citation is provided and support cannot be found for this assertion. The reference states that “specifically, the program data in a part of the memory are displayed in order with a cassette number and this list is used for selecting a cassette having a desired program from a plurality of cassette tapes.” See column 24, lines 40-48. Thus, automatic sequential playback is not only not taught in the reference. The reference expressly taught away by teaching selecting “a” cassette. Therefore, the rejection of claim 45 should be reconsidered.

Claim 45 is also rejected under Section 103 over the combination of Heo in view Lee. It is noted that Heo fails to teach means for concatenating the recorded replay. For this Lee is cited with reference to Figure 7. A discussion of Figure 7 is contained in column 7, lines 23-34. Again, as in the case with Hibi, this reference seems to teach away. It talks about highlight numbers that an editor can use to navigate the appropriate portion of the media and “view the candidate clip.” Clearly, it is not talking about seeing a sequence of clips, but selecting one of the candidate clips. Nothing suggests automatic sequential replay of a plurality of replays selected by detecting a characteristic of a program.

The office action includes a non-specific reference to columns 3 and 4. Certainly, if this feature was somewhere within that material, it is believed that it could be pointed out with greater specificity. However, this material has been reviewed and no support for the rejection can be found therein.

It is respectfully suggested that the asserted rationale to combine, even if Lee had taught what is claimed, is infected with hindsight reasoning. There is nothing within the references that suggests any reason to modify to do what is claimed. To the contrary, all the cited references suggest selecting one, and only one, of a list of items for playback.

Therefore, reconsideration of the rejection of claim 45 is requested.

Respectfully submitted,



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